



September 21, 2016

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

[Submitted via FCC Electronic Comments Filing System]

Re: NOTICE OF EX PARTE PS Docket 15-91 Improving Wireless Emergency Alerts and Community-Initiated Alerting

Dear Secretary Dortch:

On September 20, 2016, representatives of the New York City Emergency Management Department (“NYCEM”)¹ participated in an *Ex Parte* conversation on the above referenced matter with Johanna Thomas, Attorney Advisory for Commissioner Jessica Rosenworcel via conference call.

During the conference call NYCEM discussed how the Wireless Emergency Alert system (“WEA”) was utilized on three (3) occasions in response to the September 17th bombing in Manhattan’s Chelsea neighborhood, including being utilized to assist law enforcement in the search for a suspect. NYCEM emphasized that use of the system for this incident and future incidents would be significantly improved by the Federal Communications Commissioner (“FCC” or “Commission”) promptly adopting several rules in the interest of public safety. A full description of the changes we discussed is attached hereto.

NYCEM sincerely appreciates the Commission’s ongoing efforts to improve Wireless Emergency Alerts and looks forward to continuing to work with the Commission on future enhancements. Further communication on this matter may be directed to the undersigned.

Respectfully submitted,

/s/

Benjamin J. Krakauer, MPA
Director, Watch Command

cc: Johanna Thomas, Attorney Advisor [via e-mail]

¹ **NYCEM Representatives** – Christina Farrell, Deputy Commissioner for External Affairs; Benjamin J. Krakauer, Director of Watch Command; Sonja Orgias, Esq., Director of Legal Affairs





Embedded References

NYCEM continues to support inclusion of URLs and telephone numbers in WEA messages. NYCEM highlighted the WEA message issued on the morning of September 19, 2016 in support of law enforcement's search for the bombing suspect:

WANTED: Ahmad Khan Rahami, 28-yr-old male. See media for pic. Call 9-1-1 if seen.

This was an attention-grabbing message; however, the limitations of the existing WEA system prevented NYCEM from including a photograph of the suspect and/or a link to the photograph of the suspect. This message would have been far more powerful had the image automatically appeared on capable devices.

Device-Assisted Geotargeting

NYCEM highlighted two other messages issued in response to the bombing incident in Chelsea:

Suspicious Package: Residents on W 27th b/t 6th and 7th Ave stay away from windows

And

UPDATE: The suspicious device on W 27th St in Chelsea safely removed by NYPD Bomb Squad

Although these messages were intended for one block, the WEA system's limited geo-targeting capability required NYCEM to select a larger area to improve the likelihood that the intended residents would receive the alert. Despite geo-targeting the message to several square blocks, NYCEM has received anecdotal reports that individuals far outside of the target area received the message.

Technology today allows ride sharing mobile apps like Uber and Lyft to geo-locate customers within a few feet, while WEA remains solely reliant on cell towers and sectors. WEA must leverage the native capacity of today's handsets to improve the state of emergency alerting and prevent warning fatigue.

In light of the current threat environment NYCEM strongly encourages the Commission to require device-assisted geo-targeting in the upcoming rule and order. NYCEM believes there is already an abundance of support for such a rule on the record, and that the public interest would best be served by including this issue in the upcoming Rule and Order as opposed to including it in a Further Notice of Proposed Rulemaking.

Multilingual Capabilities

NYCEM continues to support the Commission's proposal to allow multilingual WEA messaging. There are more than 200 languages spoken in New York City and it is important that messages be understood by those who speak a language other than English. Presently, NYCEM offers approximately 80 of its



most common messages in the 13 most commonly spoken languages in New York City, including American Sign Language.

“Many-to-One” / Crowdsourced Feedback

NYCEM strongly supports the rule for obtaining “crowdsourced feedback” following issuance of a WEA message. During the recent conference call NYCEM offered two examples of how it would be able to use crowdsourced feedback immediately after it became available:

1. **Storm-Related Damage/Downed Trees** – NYCEM would send a WEA message following a strong storm/tornado and ask people to respond back if there was a downed tree or storm damage visible at their present location. Using the latitude/longitude provided in the user’s feedback, NYCEM would plot the data on a map and very quickly be able to see concentrations of damage and deploy emergency resources, assessment teams, and other forms of support.
2. **Evacuation Compliance** – NYCEM would send repeat WEA messages to coastal areas under an evacuation order at several intervals prior to a storm’s landfall. Using handset delivery data provided by the mobile service providers, NYCEM would be able to intelligently estimate the public’s evacuation compliance. If similar numbers of handsets continued to be reached, NYCEM would enhance efforts to improve evacuation compliance (e.g., increased outreach, repeated messaging by the Mayor and other elected officials, etc.)

NYCEM noted that during discussions as part of the Communications Security, Reliability, and Interoperability Council V’s subgroup on “Many-to-One”, the Federal Emergency Management Agency (“FEMA”) agreed to serve as the aggregation point for the types of data contemplated above. Thus, the commercial mobile service providers would not be responsible for aggregating any return data; they would simply pass that information to FEMA.